

R. Creig Greaves

Attorney at Law (071035)
110 West "C" St. #2101
San Diego, Ca 92101
(619) 234-0033 Fax: (619) 234-3335

Attorney for Defendant(s)

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

In re:

Tim J. Hopkins

)
)
) Case Number 18-00205-MM7

)
) Adversary # 18-90047-MM

)
) **ANSWER TO COMPLAINT**

Matthew Deffluri

)
)
)
) Plaintiff,

vs.

Tim J. Hopkins

)
)
) Defendants.

Comes now, defendant, Tim J. Hopkins, who admits, denies and answers the
allegations in the complaint as follows:

I. Admit.

2. Admit.

3. Admit.

4. Defendant incorporates his answers to paragraphs 1 through 3 as though set

1 forth in full.

2 5. Admit.

3 6. Defendant incorporates his answers to paragraphs 1 through 5 as though set
4 forth in full.

5 7. Admit on information and belief.

6 8. Admit.

7 9. Admit.

8 10. Admit.

9 11. Deny each and every allegation.

10 12. Admit.

11 13. Deny each and every allegation.

12 14. Deny each and every allegation.

13 15. Deny each and every allegation.

14 16. Deny each and every allegation.

15 17. Deny each and every allegation.

16 18. Deny each and every allegation.

17 19. Deny each and every allegation.

18 20. Defendant incorporates his answers to paragraphs 1 through 19 as though set
19 forth in full.

20 21. Deny each and every allegation.

21 22. Deny each and every allegation in any sum.

22 23. Deny each and every allegation.

23 24. Deny each and every allegation in any sum.

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AFFIRMATIVE DEFENSES

As a separate and affirmative defense defendant alleges that plaintiff has filed to state a cause of action against this answering defendant.

As a separate and affirmative defense, defendant(s) allege that some or all of the following affirmative defenses exist, or that discovery in this action may reveal affirmative defenses now unknown, and therefore allege unclean hands, harassment, bad faith, equitable estoppel, fraud, offset, accord and satisfaction, arbitration and award, discharge in bankruptcy, duress, estoppel, failure of consideration, illegality, laches, license, payment, release, res adjudicata, statute of frauds, statute of limitation, waiver, recoupment, promissory estoppel, parol evidence rule, immunity, novation, statutory exemption, failure to comply with condition precedent in or any other matter constituting an avoidance or defense, including, but not exclusive of defenses, multiplicity of suits, pendency of action, abatement, settlement, failure to state a cause of action, and failure to name an indispensable party.

WHEREFORE debtor(s) pray as follows:

1. That plaintiff take nothing by way of its complaint.
2. For costs of suit.
3. For such other and further relief as to the court seems just and proper.

Dated: 05/10/18


/s/ ~~Tim J. Hopkins~~
Tim J. Hopkins

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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

In re:

Tim J. Hopkins

)
) Case Number

)
) Adversary # 18-90047-MM

)
) **DECLARATION OF SERVICE**
) **BY MAIL**

Matthew Deffluri

)
)
)
) plaintiff,

vs.

Tim J. Hopkins

)
)
)
) defendants.

I, the undersigned, declare: That I am, and was at the time of service of the papers herein referred to , over the age of 18 years and not a party to the within action. I am residing in the County of San Diego, California, in which county the within-mentioned mailing occurred. My business address is 110 West "C" St. #2101, San Diego, California 92101.

I served the following documents:

ANSWER TO ADVERSARY COMPLAINT

by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee as follows:

//

Matthew Deffluri
c/o Andrew D. Sitzer, Esq.
930 E. Santa Ana Blvd.
Santa Ana, CA 92701

I then sealed each envelope and, with the postage thereon fully prepaid, deposited each in the United States mail at San Diego, California on May 14, 2018.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is signed on:

Dated: May 14, 2018

/s/ R. Creig Greaves



Judith Kristan

Creig Greaves